

draw a bounding frame within part or totality of an original image, while continuously displaying the entire original image, with an overlay indicating the region that will be cropped away. The point of the HAEBERLI patent is that the bounding frame for the cropping can be moved so that the user sees what portion of the image has been cropped and can adjust the cropping properties, as the complete image with overlaid cropping region appears on the screen. This is illustrated by buttons 920 appearing on Figure 9a; in Figure 9b the bounding frame has been moved to the left to reveal what the user actually wants to crop. Furthermore, if one wishes to zoom in or out, a separate set of buttons must be used and it is not performed automatically.

In the present invention, the independent claims specify that an image is contained within a bounding frame where any portion of the image that is outside of the bounding frame is hidden. This is a first important distinction within the present invention and the reference to HAEBERLI.

Then, once an interactive crop-to-fill mode has been entered into the pointing device, the pointing device is moved in order to crop the image and the cropping is either zooming in or zooming out in order to create a cropped image and where the cropped image constantly fills the bounding frame as the image is being cropped. Furthermore, an aspect ratio equal to that of an aspect ratio of the bounding frame is simultaneously maintained as the image is being cropped. HAEBERLI does not teach this combination of features and in fact HAEBERLI is directed to a "standard" or typical way of cropping an image, i.e. drawing a frame, moving the frame and then actually performing the cropping step before or after having zoomed the image. None of the steps of HAEBERLI are automatic or simultaneous as recited in the present independent claims.

In order to more properly illustrate this point, Annex "A" shows how the two methods differ. The top row of images shows the method of the present invention, and is essentially a re-drawing of Figure 8 of the present application.

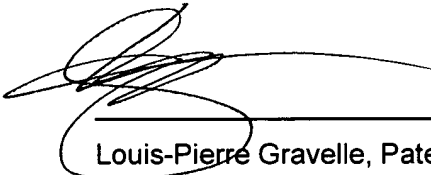
The 35 U.S.C. 102 objections have also been addressed by deleting the offending portion of claims 6 and 12.

It is respectfully submitted that the present amendment places this application in immediate condition for allowance and a notice to the effect is earnestly solicited.

Should any issues remain outstanding, and which could be resolved by way of a telephonic interview, the Examiner is kindly invited to contact the undersigned.

The Examiner will note that an assignment from the inventors to LumaPix Inc. and a Power of Attorney are being filed concurrently.

RESPECTFULLY SUBMITTED.



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LPG/ld/jw

Encl.: - Annex "A";
 - A/R card.

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